

REMARKS

In the Office Action, the Examiner noted that Claims 1-271 are pending in the application, of which Claims 1-271 are subject to restriction and/or election requirement.

By the present amendment Claims 272 and 273 have been added; Claims 1-3, 74-110, 112, 116-119, 121-133, 150-158, 170-237, 241, 244-253, and 272-273 are elected for further prosecution; and Claims 4-73, 111, 113-115, 120, 134-149, 159-169, 238-240, 242, 243, and 254-271 are withdrawn from consideration

Thus by the present amendment, Claims 1-273 are pending in the application, of which Claims 4-73, 111, 113-115, 120, 134-149, 159-169, 238-240, 242, 243, and 254-271 are withdrawn from consideration; and Claims 1-3, 74-110, 112, 116-119, 121-133, 150-158, 170-237, 241, 244-253, and 272-273 are under consideration.

Response to Arguments

In the Office Action Examiner required restriction to one of the following inventions, as required under 35 U.S.C. 121:

- I. Claims 1-7 and 10-271, drawn to luminal prosthesis, classified in class 623, subclass 1.42;
- II. Claims 8 and 9, drawn to method for treating vascular artery, classified in class 128, subclass 898.

The Examiner stated that the inventions I and II related as product and process of use, and that in the instant case, the product as claimed can be used in a materially different process of using that product.

As to Group I, in paragraph 4 of the Office Action the Examiner stated that the claimed invention of Group I has the following patentably distinct species:

Specie 1: figure 2A; Specie 2: figure 2B; Specie 3: figure 2C; specie 4: figure 2D; Specie 5: figure 2E; Specie 6: figure 2F; Specie 7: figure 2G; Specie 8: figure 2H; Specie 9: figure 2I; Specie 10: figure 2J; Specie 11: figure 2K; Specie 12: figure 2L; Specie 13: figure 2M; and Specie 14: figure 2N.

Examiner required the election of a single species for prosecution on the merit to which the claims would be restricted if no generic claim is finally held allowable, and indicated that currently no claims are generic.

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Pursuant to a telephone conversation with the Examiner on March 26, 2003, Applicants request re-examination and reconsideration of the Restriction Requirement. In particular, Applicants believe that withdrawn Claims 10-73 should be included in Group II as they are also drawn to a method for treating vascular artery.

**In response to the restriction requirement and election of species, Applicants elect Group I species 4 with traverse;** with Claims 1-3, 74-110, 112, 116- 119, 121-133, 150-158, 170-237, 241, and 244-253 readable thereon.

Applicants respectfully submit that Claims 1, 74, 150, 241, and 244 are generic claims.

Additionally, Applicants have added new Claims 272-273 which also read on the elected Species 4 of Group I and request the examination thereof.

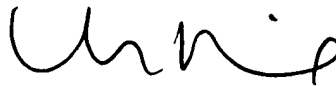
For the convenience of the Examiner, attached at the end of this document is a clean "Claims Appendix" of the current wording of all pending claims.

#### CONCLUSION

In view of the foregoing, Applicants submit that this application is now in condition for allowance. The issuance of a formal notification to that effect at an early date is requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-273-8317.

Respectfully submitted,



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